

**REGULAR SESSION    RUSH COUNTY BOARD OF COMMISSIONERS    JUNE 6, 2011**

The Rush County Board of Commissioners met in regular session, Monday, June 6, 2011 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Ken Masters made the motion to approve the minutes of the May 23, 2011 meeting as presented. Marvin Cole seconded the motion. Motion carried.

**PURDUE EXTENSION**

Kristie Amos, Extension Educator, had nothing to report.

**SOLID WASTE**

Carole Yeend, Solid Waste Director, had nothing to report.

**INDIANA LANDMARKS**

Carol Yeend, reported that she has completed for Larry Stout the Indiana Landmarks Award Application for the reconstruction of the Moscow Bridge. Yeend asked the commissioners to approve and sign a letter of support. Marvin Cole made the motion to sign the letter of support. Ken Masters seconded the motion. Motion carried.

**EMPLOYEE HEALTH INSURANCE**

Amy Carpenter of APEX Benefits appeared before the commissioners to discuss county employee health insurance renewal. Carpenter explained that the renewal is effective August 1, 2011. Carpenter reported a formal approval had been received by the carriers. Carpenter shared the savings explaining that she has been working with the insurance committee. Carpenter recommended the continued usage of the employee wellness initiatives.

Carpenter explained that the Dental insurance rates have increased. This will be revealed during the open enrollment.

Discussion was held concerning the dates of the open enrollment. June 17, 2011 was established for the open enrollment for county employees. Highway/7:00 a.m. Courthouse/9:00 a.m. and 10:30 a.m. Jail/1:00 p.m.

Ken Masters made the motion to approve the renewal rates for the August 1, 2011 to July 31, 2012, along with signing the Organ and Tissue Transplant Application and Disclosure Statement. Marvin Cole seconded the motion. Motion carried.

**AREA PLAN**

Bill Todd, Area Plan Director, received approval on the Coors Engineering Flood Study Plan on a motion from Ken Masters. Seconded by Marvin Cole. Motion carried.

Todd discussed the Moscow property clean up. Todd reported that the clean up has been satisfied. Questions regarding the fence were raised. Leigh Morning will review the letter sent to the property owners regarding the fence and advise the commissioners.

Jeremy Howard appeared before the commissioners asking their advice on how to proceed with the APC on residential zoning issues with fowls/chickens. Howard explained the fines issued from having 4-H animals and chickens in a residential zoned area. Howard lives on approximately one acre located in a residential zoned area in Ripley Twp. Howard stated that Bill Todd advised him to appear before the commissioners. Todd explained the complaint received on Howard and that he invited Howard to get the opinion of the commissioners. The commissioners advised him to follow the process

### **CENTER STONE**

Thelma Chandler and Lisa Brownlee of Center Stone appeared before the commissioners. Both Chandler and Brownlee reported that Center Stone Clinic Center serves Rush County with outpatient treatment. They work with the probation office and provide teen intervention. Their office is located in the same building with Primary Care.

### **EMA**

Mike Ooley, EMA Director, reported that the CERT trailer will be purchased through grant funding received from Rush Shelby Energy. Deborah Adams explained that CERT had requested the county sales tax exemption number and she needed the commissioner's approval.

Ooley explained that CERT does fall under the direction of EMA. The trailer would become county property and would be insured through the EMA budget. Ken Masters made the motion to allow CERT to utilize the county tax exemption number. Marvin Cole seconded the motion. Motion carried.

Ooley reported that immediately following the May 25, 2011 tornado the EMA mobile unit was deployed to Decatur County. This was done upon the request of the Decatur County Sheriff.

Ooley reported that he recently attended the Emergency Managers Workshop in Muncie. Ooley also reported that he was looking at the state surplus for EMA office equipment.

Ooley reported that sixty (60) emergency radios have arrived. Ooley will look at placing some of the emergency radios in the court house offices.

Tom Barnes asked Ooley to prepare tornado twenty-four/seven day a week, emergency evacuation shelter plans for trailer parks. Barnes asked Ooley to coordinate this throughout the county.

## **I-T**

Randy Herbert, I-T Technician, reported that the switch over to Nine Star was completed June 3, 2011. Herbert also reported that a sound system was also purchased for the commissioner room.

## **SHERIFF**

Duane Raab, Chief Deputy, reported in the absence of Sheriff Jeff Sherwood. Raab reported forty-two (42) inmates incarcerated in the Rush County jail.

Raab reported that the roof repairs to the air handler membrane were \$1,250.00. Raab completed by stating that no official report had yet been received on the Jail Inspection.

## **HIGHWAY**

Jerry Sitton, Highway Superintendent, provided the commissioners with the May monthly report for their review.

Sitton received approval of a 90 Day, 30 mph, NO commercial vehicles, unofficial detour for US52 going West of 300 south to 100 East, North on 100 East back on US 52. Marvin Cole made the motion to approve. Ken Masters seconded the motion. Motion carried.

### **ORDINANCE 2011-2**

#### **AN ORDINANCE PROHIBITING COMMERCIAL MOTOR VEHICLES AND ESTABLISHING A TEMPORARY MAXIMUM SPEED LIMIT**

WHEREAS, United States Highway 52 East is under construction; and

WHEREAS, there is increased traffic on County Roads 300 South and 100 East; and

WHEREAS, the conditions of the roads may deteriorate and the number of accidents may increase on the roads as a result of the increased traffic; and

WHEREAS, if the speed limit is not reduced, the safety and lives of the occupants of the motor vehicles and the residents along the roads may be endangered;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rush County, Indiana:

1. This Ordinance is adopted pursuant to Ind.Code 36-1-3-1, I.C. 9-20, and I.C. 9-21-5-11.

2. Commercial motor vehicles are prohibited from being operated on County Road 300 South West of US Highway 52 East and County 100 East; and on County Road 100 East between County Road 300 South and US Highway 52 East.

3. A temporary maximum speed limit of 30 miles per hour is established along the following roads: County Road 300 South between US Highway 52 East and County Road 100 East, and County Road 100 East between County Road 300 South and US Highway 52 East.

4. This Ordinance shall be effective for 90 days from its effective date.

5. Any violation of this Ordinance is a Class C infraction, pursuant to I.C. 9-20-1-4, I.C. 9-20-18-12, and I.C. 9-21-5-13.

6. This Ordinance shall be enforced in the same manner as all traffic laws, rules, and regulations are enforced.

7. This Ordinance is effective upon passage, and upon the posting of signs at each end of the roads affected by this Ordinance and at intersecting roads and highways.

Adopted this 6<sup>th</sup> day of June, 2011.

BOARD OF COMMISSIONERS OF  
RUSH COUNTY, INDIANA

/s/Thomas H. Barnes  
Thomas H. Barnes

/s/Marvin L. Cole  
Marvin L. Cole

/s/Ken Masters  
Ken Masters

ATTEST:

/s/Deborah C. Adams  
Deborah C. Adams, Auditor

Sitton informed the commissioners of another 90 day unofficial detour that will begin sometime in July. This detour will involve Airport Road to US 52 to St Rd 44.

Sitton reported that Phase II of the Carthage Pike project is in its final stage.

Sitton reported that Bridge 116 is near completion. Bridge 143 (725 West, south of Homer) is ready to set the beams. Bridge 159 (365 East) will be pouring the deck on June 7, 2011.

### **TREASURER**

Mary Ann Beard, Treasurer, reported that she certified \$9.5 million collections to be distributed by the auditor.

Beard addressed the commissioners regarding using payroll attachments as a source of advertising. Beard asked the commissioners to look at a policy. Ken Masters made the motion to take the matter under advisement and to form a committee. Tom Barnes expanded the motion to include any type of advertising attachment. Marvin Cole seconded the motion. Motion carried. The Commissioners shall form the committee.

### **RIDE RUSH**

Wanda Henderson, of Ride Rush, appeared before the commissioners regarding the \$10,000.00 budget cut within the Senior Citizen/Ride Rush appropriation line of the commissioner budget. Henderson informed the commissioners that INDOT will be appearing before them to talk about the cut. Henderson informed the commissioners that they signed this commitment in the resolution and the \$10,000.00 was mandatory.

Deborah Adams informed Henderson that in past years she did not spell this out as a mandatory commitment by the county commissioners and she did not remember this being included in the signed resolution. Adams asked Henderson what had been done with the non funding by the commissioners in two previous years when they had to make budget cuts. Henderson reported that she had to get a letter of credit.

The commissioners explained that this was first budgeted within the senior center appropriation. The state requested major budget cuts and the council set forth cuts to all social programs.

### **AUDITOR**

Deborah Adams, Auditor, received approval of payroll claims for the pay period ending June 10, 2011 on a motion by Marvin Cole. Seconded by Ken Masters. Motion carried.

Bi-Weekly claims were presented. Adams had one change to the Omnicity claim. Adams asked the commissioners to approve the May claim for only \$550.00 instead of the submitted May and June \$1,100.00 as per Randy Herbert. Bi-Weekly claims as amended for the period May 31, 2011 were approved by Ken Masters. Seconded by Marvin Cole. Motion carried.

Adams reported that distribution had been approved by the state on June 3, 2011 and once checks are issued and all balanced with the Treasurer it is anticipated to be released to the units on Wednesday, June 8, 2011. Adams did emphasize that the county general share of the spring tax collections has still got us in a tight situation with budgets.

Adams reported that in order to save paper and money, APEX newsletters will be forwarded via mass e-mail to department heads and office holders. This will allow the office holders/department heads to communicate with their employees. Adams reported that she forwarded the Live Well, Work Well Newsletter to offices on June 2, 2011.

### **EMS**

Reviewed May run report received from Raleigh Fire Dept.

### **MISC.**

- Reviewed Treasurers' report for the month of April.
- Set July 5, 2011 to review presentation by Lola Materna of Patient Assistance, for the offer of free discount prescription cards.
- Ken Masters made the motion to allow purple lights in the courthouse clock tower for the month of June for Relay for Life. Marvin Cole seconded the Motion. Motion carried.

### **PROPERTY ON PERKINS STREET**

A letter regarding the site of the former junior high school located between 6<sup>th</sup> and 7<sup>th</sup> street in the City of Rushville was brought to the Commissioners attention. The letter written and signed by Laurin Smith and Robert Dean was dated June 2, 2011. It was also followed by an attached listing of signatures from neighbors who were in agreement.

Tom Barnes speaking for the commissioners addressed the various concerns of the letter:

- Park - At no time had there been talks regarding making it a park, there were no plans or discussion with the city or with any group
- Landscape - Sunesis would take care of this as it is part of the contract
- Alcohol – The Phoenix Lodge does not allow alcohol
- Parking - The Phoenix Lodge would create its own parking lot area

Tom finished by saying a public hearing will be held for all to attend and express their concerns.

David Payne, questioned the commissioners if any other non-profit organizations had approached the commissioners regarding the property. Barnes responded that no, the property has become a tax burden, and had appeared on multiple tax sales, was at one time going to be

apartments, Brownfield monies were used to remove the fuel tanks. The commissioners did what they could to make the property a marketable piece of property. Barnes continued by explaining, now we have a non-profit organization wanting to purchase the property. If the county appraises the property it must sell at 90% of the appraisal and the county must receive two (2) appraisals.

John Saxon asked the commissioners what the purchase price was. Barnes stated that none had been set.

David Payne shared his concerns as to the type of structure that may be built for the area. Jamie Gladden questioned the commissioners if drawings had been turned in to view. Barnes replied no.

Ken Masters made the motion to hold a public hearing July 6, 2011 at 6:00 pm. Marvin Cole seconded the motion. Motion carried.

### **COURTHOUSE**

Tom Barnes discussed the storm damage to the elevator. Deborah Adams reported that an invoice had yet to be received. Adams did inform the commissioners that the county has a \$1,000.00 deductible per incident.

### **ST. PAUL – OUTDOOR FURNACE**

The new law regarding restrictions of outdoor furnaces goes into effect July 1, 2011. Tom Barnes will visit the Bowlings.

Motion to adjourn was received from Marvin Cole. Ken Masters seconded the motion. Motion carried.

<u>/s/Tom Barnes</u>	<u>/s/Marvin Cole</u>	<u>/s/Ken Masters</u>
Tom Barnes, Chairman	Marvin Cole	Ken Masters

ATTEST:

/s/Deborah C. Adams  
Deborah C. Adams, Auditor